

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

FAATIMAH MUHAMMAD,)	
)	
Plaintiff,)	
)	
v.)	No. 2:22-cv-02053-SHL-tmp
)	
CHARLES SHOFFNER, et al.,)	
)	
Defendants.)	

**ORDER ADOPTING REPORT AND RECOMMENDATION AND GRANTING
DEFENDANT’S MOTION FOR ATTORNEYS’ FEES**

Before the Court is Chief Magistrate Judge Tu M. Pham’s Report and Recommendation (“Report”), recommending that Defendant Charles Shoffner’s Motion for Attorneys’ Fees be granted. (ECF No. 48).

A magistrate judge may submit to a judge of the court proposed findings of fact and recommendations for the denial or grant of dispositive motions. 28 U.S.C. § 636(b)(1)(B). “Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1) (2017). A district court reviews de novo only those proposed findings of fact or conclusions of law to which a party specifically objects; the rest are reviewed for clear error. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Here, the Report states that 42 U.S.C. § 1988 allows prevailing defendants to collect attorneys’ fees upon a finding that the plaintiff’s action was “frivolous, unreasonable, or without foundation.” Kidis v. Reid, 976 F.3d 708, 721-22 (6th Cir. 2020). After reviewing the record, the Magistrate Judge found just that —Plaintiff’s suit was frivolous, unreasonable, and without foundation, thereby warranting an award of attorneys’ fees. (ECF No. 48 at PageID 540). The

Magistrate Judge also recommended awarding Defendant's requested fees of \$14,585, finding that this amount aligned with the prevailing market rate and represented a reasonable amount for the work done in defending against this lawsuit. (Id. at 543-44).

Plaintiff filed no objections to the Magistrate Judge's proposed findings and legal conclusions, and the time to do so has now passed. Thus, the Court reviews the Report for clear error and finds none. The Court **ADOPTS** the Magistrate Judge's Report and **GRANTS** Defendant's Motion for Attorneys' Fees.

IT IS SO ORDERED, this 24th day of August, 2022.

s/ Sheryl H. Lipman
SHERYL H. LIPMAN
UNITED STATES DISTRICT JUDGE